

**United States District Court
Eastern District of New York**

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Devendra Shukla		:	07 CV 2972 (CBA) (CLP)
	Plaintiff,	:	
vs.		:	
		:	
Sat Prakash Sharma, Individually and as		:	
Director of Vishva Seva Ashram of New		:	
York, Geeta Sharma, individually and as		:	
director of Vishva Seva Ashram of New		:	
York, and Vishva Seva Ashram of New		:	
York, D/B/A Sarva Dev Mandir		:	
	Defendants.	:	
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Attorneys' Affirmation Under Local Rule 1.4 In Support of

Request for Discharge and for Payment of Attorneys' Fees and Expenses

Krishnan S. Chittur, an attorney duly admitted to the bar of this Court and elsewhere,
hereby solemnly affirms and states as follows under penalties of perjury:

1. I am the principal of Chittur & Associates, P.C., attorneys of record for all the Defendants herein. I am familiar with the facts and circumstance herein, and file this affirmation in support of my request under Local Rule 1.4 for discharge and for payment of attorneys' fees.
2. Defendants have not paid my firm's dues, and our arrears have been mounting for the past several months. We have regularly sent invoices to Defendants, which invoices have been received and retained by Defendants. Defendants have repeatedly promised to clear them. However, the arrears have remained unpaid. We are a small firm of just two lawyers, and Defendants' continued delay in payment has effected, and continues to effect, our firm very adversely.

3. Accordingly, I seek an order discharging my firm, and concomitantly, requiring Defendants to pay my firm's outstanding dues for services rendered, and expenses incurred, in this action in accordance with our engagement letter with Defendants. These dues amount to \$181,551.20, as per our invoice of December 30, 2010. "Ex. 1," Invoice. Defendants have neither paid this invoice nor responded to our request for payment.
4. On January 1, 2011, I sent the time-sheets and details of expenses underlying this invoice to Defendants together with the invoice. I am refraining from annexing them to this application since they contain information which may be protected by the attorney-client and work product privilege. However, should the Court desire to review these details *in camera*, or should Defendants raise any issues concerning them, I undertake to provide such details promptly.
5. Under my firm's engagement letter with Defendants, interest accrues on our outstanding dues at the rate of 2% per month, calculated on a per diem basis.
6. Our discharge will not delay or affect further proceedings in this case. Defendants have retained new attorneys, who have already made e-filings and sought an extension for filing post-trial motions.
7. Accordingly, I request that the Court enter an order forthwith:
 - a. Discharging Chittur & Associates, P.C., as attorneys of record for Defendants; and
 - b. Ordering Defendants, jointly and severally, to pay us the sum of \$181,551.20, together with interest thereon at 2% per month, calculated on a per diem basis, from December 31, 2010.

Dated: January 12, 2011

Sd/

Krishnan S. Chittur, Esq.